

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**NOTICE OF MOTION BY DEFENDANT PATRICK HALLIGAN  
TO DISMISS THE AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, dated November 1, 2022, the Declaration of Mary E. Mulligan, dated November 1, 2022, and the exhibits annexed thereto, and all other papers and proceedings herein, Defendant Patrick Halligan, by and through his counsel, hereby moves this Court, before the Honorable J. Paul Oetken, at a date and time to be set by the Court, at the United States District Court for the Southern District of New York, Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 706, New York, New York 10007, for an Order pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, dismissing with prejudice the amended complaint filed by the Commodity Futures Trading Commission, and granting such other and further relief as the Court deems just and proper.

[SIGNATURE ON FOLLOWING PAGE]

Dated: November 1, 2022  
New York, New York

Respectfully submitted,

FRIEDMAN KAPLAN SEILER &  
ADELMAN LLP

s/ Mary E. Mulligan

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